REMARKS

In accordance with the foregoing, the claims have been neither amended nor cancelled. Claims 1-20 and 22 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 2, the Examiner rejects claims 1, 10, 14 and 20 under 35 U.S.C. 102(b) as being anticipated by Ito et al. (US Patent No. 5,315,402). The rejection is respectfully traversed and reconsideration is requested.

Regarding claim 1, the Examiner asserts that Ito et al. discloses a device that "detects a linear velocity using a velocity of a spot of the light" recited in claim 1.

By way of review, Ito et al. discloses "linear velocity detecting means 28 detects the linear velocity of the magneto-optical disk 27' based on radius of the part of the magneto-optical disk 27' being recoded" (hereinafter referred to as recording radius) (col. 9 lines 2-6).Whereas, claim 1 sets forth "a linear velocity detector that detects a linear velocity using a velocity of a spot of the light...of the optical disc." Therefore, Ito et al. discloses detecting the velocity of the disc based on a recording radius but fails to teach detecting the velocity of the disc by using a velocity of a spot of the light as recited in claim 1. As such, withdrawal of the rejection of claim 1 is respectfully requested.

Claims 10 and 14 are rejected for reasons similar to the rejection of claim 1.

Claim 10 recites "a linear velocity detector that detects a linear velocity using a velocity based on a velocity of a spot of the writing laser beam in a tangential direction." Claim 14 recites "detecting a linear velocity from a velocity of a spot of the light which records the information to the optical disc, in a tangential direction of a circumference of the optical disc." As such, claims 10 and 14 are submitted to be allowable.

Regarding claim 20, the Examiner asserts that Ito et al. discloses a control circuit which generates the driving signal selectively based upon a linear velocity of the light on the optical disc and not based upon the linear velocity, according to a recording material of the optical disc.

By way of review, Ito et al. discloses "the linear velocity is changed in a multistage manner according to the selected mode. In such case, the duty factor can be adjusted in accordance to the linear velocity. Moreover in this case, the duty factor can be set to the predetermined value by making use of the signal that changed the linear velocity, instead of detecting the linear velocity but fails to disclose a control circuit which generates the driving

signal according to a recording material of the optical disc." Whereas, claim 20 sets forth "a control circuit which generates the driving signal selectively based upon a linear velocity of the light on the optical disc according to a recording material of the optical disc." As such, withdrawal of the rejection of claim 20 is respectfully requested.

ALLOWABLE SUBJECT MATTER:

At pages 3-4 of the Office Action, the Examiner indicates that Claims 2-9, 11-13, and 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As discussed above, Claims 2-9, 11-13, and 15-19 which depend from claims 1, 10, and 14, respectively, are also submitted to be allowable for at least the same reasons as claim 1, as well as for the additional recitations therein.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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